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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/067,656	02/04/2002	Jean Francois Bernat	PRINZ H1740	6951
7590		02/18/2004	EXAMINER	
Norman P. Soloway HAYES SOLOWAY, P.C. 130 W. Cushing Street Tucson, AZ 85701		GUSHI, ROSS N		
		ART UNIT	PAPER NUMBER	
		2833		
DATE MAILED: 02/18/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applicati n No.

10/067,656

Applicant(s)

BERNAT ET AL.

Examiner

Ross N. Gushi

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 January 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 20-53 is/are pending in the application.
- 4a) Of the above claim(s) 41-48 and 53 is/are withdrawn from consideration.
- 5) ☐ Claim(s) 20-38 is/are allowed.
- 6) ☐ Claim(s) 39,40 and 49-51 is/are rejected.
- 7) ☐ Claim(s) 52 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

Election/Restrictions

Claims 41-48 and 53 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected species, there being no allowable generic or linking claim.

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 39 and 49 are rejected under 35 U.S.C. 102(b) as being anticipated by Salisbury.

Per claim 39, Salisbury discloses (see attachment) a plug-in jack comprising an insulating jack housing in which at least one jack contact is accommodated, said jack contact consisting of a retaining part and a jack 24, said jack being mounted on said retaining part so as to be pivotable by a limited angle and capable of longitudinal movement, wherein said retaining part comprises a head portion 23, an adjoining annular groove 22 and a collar 21 adjoining said annular groove and wherein said jack comprises (see attachment) spring shackles engaging with said annular groove, and wherein said spring shackles have free ends and are provided with one hook on each of said free ends and engaging with said annular groove.

Per claim 49, said retaining part is provided with an SMT connection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 50 and 51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Salisbury as in claim 39 in view of Evans.

Regarding claims 50 and 51, Salisbury does not show the details of the plug part except for showing pin 32 extending from electron tube 12. Evans discloses a plug in part including housing 56 and a contact capable of mating the jack contact discussed regarding claim 39, the plug contact including a plug in portion, and anchor portion and a surface mountable connection portion. At the time of the invention, it would have been obvious to use a plug part structure as disclosed by Evans in the Salisbury plug. The suggestion or motivation for doing so would have been to mount the plug contacts securely as taught by Evans.

Claim 40 is rejected under 35 U.S.C. 103(a) as being unpatentable over Salisbury as in claim 39 in view of Linde. To the extent that the Salisbury jack is arguably not barrel shaped, Linde discloses a jack that is barrel shaped. At the time of the invention, it would have been obvious to change the shape of the Salisbury jack (at least the central portion) to be barrel shaped as taught in Linde. Such modification to the shape of the jack would have been a matter of obvious engineering design choice absent evidence that the particular choice of shape of the jack would have been significant. In re Dailey, 149 USPQ 47 (CCPA 1966).

Response to Arguments

Applicant argues that Salisbury does not disclose hooks and free ends that engage the groove. The examiner disagrees and has pointed out these features in the attached figure.

Allowable Subject Matter

Claim 52 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, for reasons previously indicated. Claims 20-38 are allowable for the reasons previously indicated.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ross Gushi whose telephone number is (703) 306-4508. If attempts to reach the examiner by phone are unsuccessful, the examiner's supervisor, Paula A. Bradley, can be reached at (703) 308-2319. The phone number for the Group's facsimile is (703) 308-7766

rng

A handwritten signature in black ink, appearing to read "Ross Gushi", with a stylized, flowing script.

uly 15, 1952

M. L. SALISBURY

2,603,681

PRINTED CIRCUIT PANEL WITH CONNECTOR

Filed Dec. 15, 1948

FIG. 1

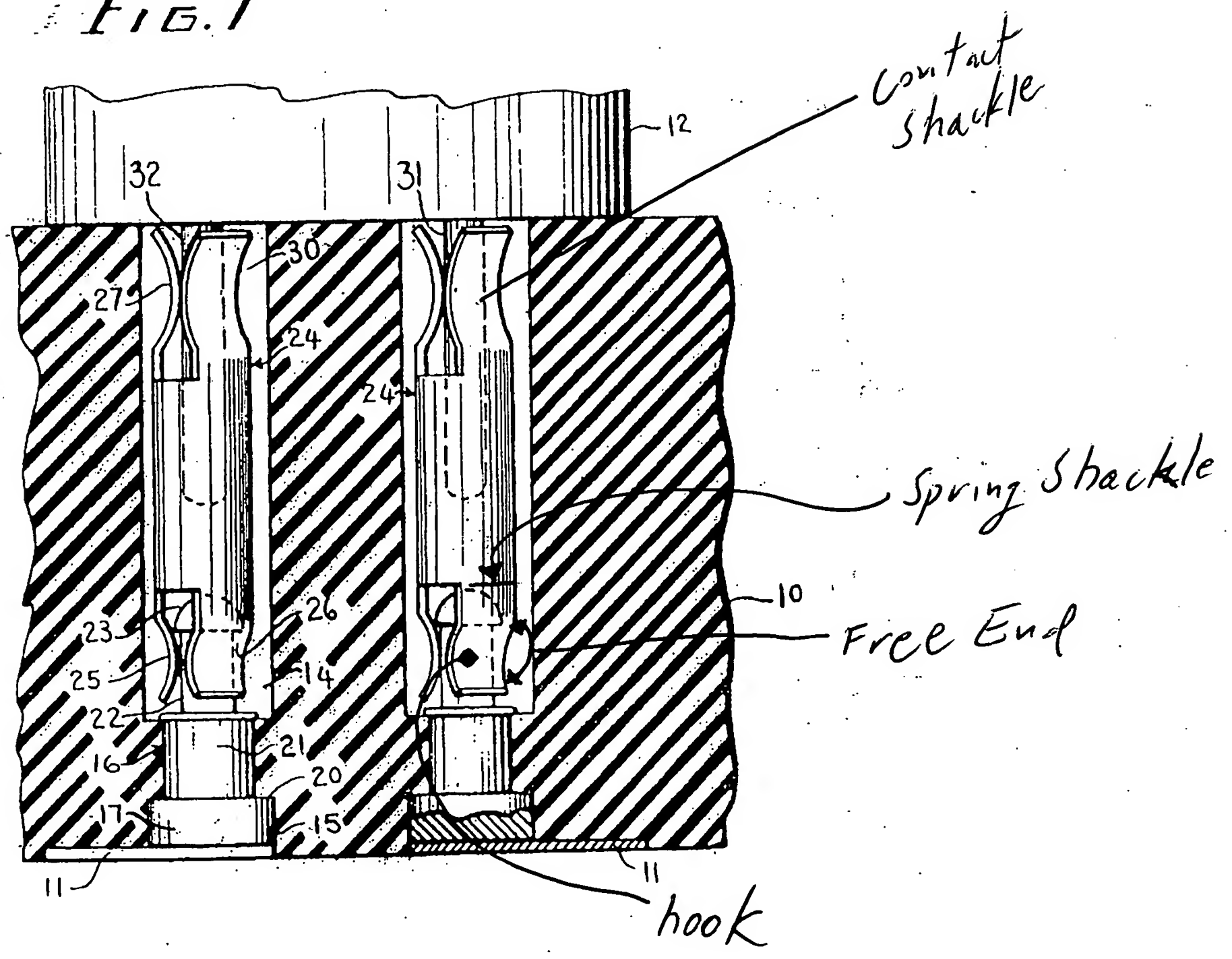


FIG. 2

